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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12

13 In re UTSTARCOM, INC. SECURITIES)
LITIGATION)

Master File No. C-04-4908-JW(PVT)

14) CLASS ACTION

15 This Document Relates To:)

STIPULATION REGARDING BRIEFING
SCHEDULE (BANC OF AMERICA
SECURITIES LLC)

16 ALL ACTIONS.)
17



1 WHEREAS, on July 26, 2005, lead plaintiffs Locals 302 and 612 of the International Union
2 of Operating Engineers-Employers Construction Industry Retirement Trust and Erwin DeBruycker
3 ("plaintiffs") filed their First Amended Consolidated Complaint for Violation of the Federal
4 Securities Laws ("Amended Complaint");

5 WHEREAS, defendant Banc of America Securities LLC ("defendant") has been duly served;

6 WHEREAS, defendant's answer is due on August 17, 2005;

7 WHEREAS, the parties have met and conferred and have agreed, subject to the approval of
8 the Court, to a briefing schedule for defendant's response to the Amended Complaint; and

9 WHEREAS, on July 27, 2005, this Court approved a stipulation between plaintiffs and the
10 UTStarcom defendants setting forth the same briefing schedule;

11 NOW, THEREFORE, IT IS HEREBY STIPULATED, pursuant to Civil L.R. 7-12, that:

12 1. Defendant shall file its response to the Amended Complaint on or before October 10,
13 2005;

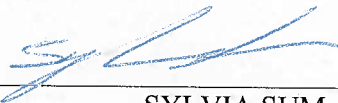
14 2. Should defendant file a motion to dismiss, plaintiffs shall file their opposition thereto
15 on or before November 23, 2005;

16 3. Defendant shall file any reply in support of its motion to dismiss on or before
17 December 22, 2005; and

18 4. The hearing on defendant's motion to dismiss shall be set for Monday, January 9,
19 2006, at 9:00 a.m.

20 DATED: August 17, 2005

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DATED: August 17, 2005

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* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 8/22/05

/s/ James Ware

THE HONORABLE JAMES A. WARE
UNITED STATES DISTRICT JUDGE

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DECLARATION OF SERVICE BY MAIL AND FACSIMILE

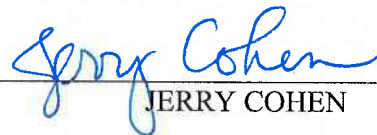
I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Francisco, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 100 Pine Street, Suite 2600, San Francisco, California 94111.

2. That on August 17, 2005, declarant served the **STIPULATION REGARDING BRIEFING SCHEDULE (BANC OF AMERICA SECURITIES LLC)** by depositing a true copy thereof in a United States mailbox at San Francisco, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List. Declarant also served the parties by facsimile.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 17th day of August, 2005, at San Francisco, California.


JERRY COHEN

UTSTARCOM 04 (CA) (LEAD)
Service List - 8/16/2005 (04-0558C)
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